

UNITED STATES DISTRICT COURT

District of New Mexico

UNITED STATES OF AMERICA vs. Douglas Smith CR 18-3494JCH

EXHIBIT AND WITNESS LIST

Plaintiff's Counsel:		Kyle Nayback & Novaline Wilson		Defendant's Counsel:		Aric Elsenheimer & Amanda Lavin
Date:	June 14, 2021	Clerk:	V. Loman	Court Reporter:	Paul Baca	
Plf. No.	Def. No.	Date Offered	Joint	Marked	Admitted	Description of Exhibits and Witnesses
x		6/15/21				Dr. Matthew Cain
1		6/15/21		x	x	Photograph of M.G.'s face
2		6/15/21		x	x	Photograph of bullet fragment
3		6/15/21		x	x	Photograph of gunshot entry wound
4		6/15/21		x	x	Photograph of bullet fragment
x		6/15/21				Daniel Smith
x		6/15/21				Geraldine Gutierrez
64		6/15/21		x	x	Certificate of tribal enrollment for M.G.
x		6/15/21				Lynne Gudes
58		6/15/21		x	x	Photograph of M.G. at the scene
59		6/15/21		x	x	Photograph of M.G. at scene with foliage
60		6/15/21		x	x	Photograph of M.G. and blood stain
61		6/15/21		x	x	Photograph of motel toward west
	B18	6/15/21		x	x	Photograph of police vehicles
	B19	6/15/21		x	x	Photograph of shed
	B20	6/15/21		x	x	Photograph Western Winds Motel sign
x		6/15/21				Tammy Peter
5		6/15/21		x	X	Photograph of trailer
6		6/15/21		X	X	Photograph of trailer from yard
7		6/15/21		X	X	Photograph looking to north of yard and front door to residence

8		6/15/21		X	X	Photograph of shed
9		6/15/21		X	X	Photograph of yard and gate
10		6/15/21		X	X	Photograph of yard and gate
11		6/15/21		X	X	Photograph of front door of residence
12		6/15/21		X	X	Photograph of steps and patio
13		6/15/21		X	X	Photograph of vantage to south
14		6/15/21		X	X	Photograph from trailer pointing to residence
15		6/15/21		X	X	Photograph of door to residence and foliage and red vehicle
16		6/15/21		X	X	Photograph pointed to south of motel and foliage
17		6/15/21		X	X	Photograph to west of carport
18		6/15/21		X	X	Photograph of residence from outside fence line
19		6/15/21		X	X	Photograph of part of residence, fence area, and area between trailer and fence
20		6/15/21		X	X	Photograph of east of motel, the private property sign
21		6/15/21		X	X	Photograph of red car and gate
22		6/15/21		X	X	Photograph of motel facing street
23		6/15/21		X	X	Photograph of gate
24		6/15/21		X	X	Photograph of entry point to motel and closed sign
25		6/15/21		X	X	Photograph of impact
26		6/15/21		X	X	Photograph of close-up of impact point
27		6/15/21		X	X	Photograph of impact point on shed
28		6/15/21		X	x	Photograph of close-up of impact point in shed
29		6/15/21		X	X	Photograph of T.V.
30		6/15/21		X	X	Photograph of close-up of Ex. 29
31		6/15/21		X	X	Photograph of shed and yard
32		6/15/21		x	X	Photograph of shed with second impact point
x		6/15/21				Nathan Schwabedissen
66		6/15/21		X	x	Aerial photograph of motel, Pizza 9
67		6/15/21		X	x	Aerial photograph of KFC
68		6/15/21		X	x	Aerial photograph of parking lot of KFC and Western Winds sign

69		6/15/21		X	x	Aerial photograph of KFC, Riverside east of motel
70		6/15/21		X	x	Aerial photograph from south end of motel, vehicles parked in back, and KFC parking lot
71		6/15/21		X	x	Aerial photograph of Riverside Drive, KFC at bottom, two buildings on western sides
72		6/15/21		X	x	Aerial photograph of motel with person
73		6/15/21		X	x	Aerial photograph from south end of motel, north/south building of motel, tree behind north/south building, and vehicles
74		6/15/21		x	x	Aerial photograph from southeast of property with Riverside Drive to bottom right of photo, KFC lot on bottom left
x		6/16/21				Detective Byron Abeyta
33		6/16/21		x	x	Miranda warning form
34		6/16/21		x	x	Recording of interview with Mr. Smith
35		6/16/21		x	x	Transcript of recording
36		6/16/21		x	x	Drawing Mr. Smith created during interview
37		6/16/21		x	x	Photograph of motel
38		6/16/21		x	x	Photograph of M.G.
39		6/16/21		x	x	Photograph of camper trailer
40		6/16/21		x	x	Photograph of door to residence, gun, and fence
41		6/16/21		x	x	Photograph of closer view of fence to residence and back porch
42		6/16/21		x	x	Photograph of back door to residence
43		6/16/21		x	x	Photograph of Luger handgun
44		6/16/21		x	x	Photograph of spent shell casings
45		6/16/21		x	x	Photograph of spent shell casing and evidence tag 4
46		6/16/21		x	x	Photograph of evidence tag 5 and spent casing
47		6/16/21		x	x	Photograph of M.G. and pooled blood
48		6/16/21		x	x	Photograph of close-up of blood
49		6/16/21		x	x	Photograph of M.G. close-up of face
50		6/16/21		x	x	Photograph of M.G. close-up of face with forehead wound
52		6/16/21		x	x	Photograph of blood and camper trailer
53		6/16/21		x	x	Photograph of back of residence and camper trailer

54		6/16/21		x	x	Photograph of bullet mark on camper
55		6/16/21		x	x	Photograph of camper trailer zoomed out with bullet hole
56		6/16/21		x	x	Photograph of angle from impact round on trailer to metal shed
57		6/16/21		x	x	Photograph of impact round next to lock in metal shed
x		6/16/21				Travis Taylor
63		6/16/21		X	X	Diagram
62		6/16/21		x	x	<i>Miranda</i> warning form
x		6/16/21				Theodore Chavez
75		6/16/21		X	X	Trajectory graphic
x		6/16/21				Bryan Acee
	x	6/16/21				Ercilia Trujillo
	x	6/16/21				Billie Wheat
	x	6/16/21				Mary Jude Wheat
	x	6/17/21				Douglas Smith
	A1	6/17/21		X	x	Photograph of motel property
	A2	6/17/21		X	x	Photograph of motel property
	B1	6/17/21		x	x	Photograph of motel
	B2	6/17/21		x	x	Photograph of motel and red car
	B3	6/17/21		x	x	Photograph of main parking lot for units 7-12, shed, car
	B4	6/17/21		x	x	Photograph of camper trailer
	B5	6/17/21		x	x	Photograph
	B6	6/17/21		x	x	Photograph
	B7	6/17/21		x	x	Photograph of woodpile
	B8	6/17/21		x	x	Photograph of backyard
	B9	6/17/21		x	x	Photograph
	B10	6/17/21		x	x	Photograph
	B11	6/17/21		x	x	Photograph of gate and fence and back door
	B12	6/17/21		x	x	Photograph of back porch
	B13	6/17/21		x	x	Photograph
	B14	6/17/21		x	x	Photograph

[illegible]